

10/5/09 - Monday, October 5, 2009

**CITY OF EAU CLAIRE
PLAN COMMISSION MINUTES**

Meeting of October 5, 2009

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Klinkhammer, FitzGerald, Kayser, Hibbard, Duax, Larson, Seymour, Pearson

Staff Present: Messrs. Tufte, Reiter, Genskow

The meeting was chaired by Mr. Kayser.

1. REZONING (Z-1451-09) “ Poster Panel Amendment, Chapter 16.18

Mr. Tufte presented a proposed amendment to Chapter 16.18, Poster Panels, to address poster panels located on City-owned property. The City Council has requested that City-owned property shall not be leased for the purpose of displaying a poster panel. All existing ones shall be terminated upon expiration of any lease. They may be allowed on City-owned property zoned C-3, I-1 or I-2, subject to approval of a conditional use permit.

No one appeared in opposition.

Mr. FitzGerald moved to recommend approval of the ordinance. Mr. Pearson seconded. Mr. Hibbard proposed two friendly amendments to clarify the ordinance language, which were accepted by Mr. FitzGerald and the motion carried.

2. REZONING (Z-1452-09) “ Outdoor Lighting Ordinance

Mr. Tufte presented an Outdoor Lighting Ordinance as recommended by the Sustainability Chapter of the Comprehensive Plan. The proposed ordinance uses present State of Wisconsin Energy Standards, along with present practice of the Plan Commission, in review of site plans. The development of this ordinance includes a brochure for public distribution. Existing situations will be allowed to continue, but new development or replacement of fixtures will follow the new ordinance.

Libby Stupack, 2228 Windsor Court, spoke to the commission about her concerns with glare from a City water pump station.

Mr. FitzGerald moved to recommend approval of the ordinance. Mr. Duax seconded.

Mr. Hibbard introduced a proposed amendment concerning excessive lighting in parking lot areas which are not being used but the lights are still on. The amendment would require the lights to be extinguished when the building and lot are not in use. Several commissioners questioned enforcement of such an ordinance since individual employees often report early to work or may stay late even though the business is closed. Mr. Hibbard removed his proposal for consideration at this time.

A friendly amendment was accepted to remove a 30-day limit on holiday lights, amend commission review of field lighting, and to remove language referring to lighted signs and reference the Sign Code.

The motion to recommend carried with the friendly amendments.

3. ANNEXATION (09-2A) “ Alpine Drive, Town of Union

Mr. Hibbard left the Council Chambers.

Mr. Reiter presented a petition to annex 4.6 acres of land from the Town of Union owned by David McCabe, located on the west side of Alpine Drive. There are city utilities available within Alpine Road. Mr. Duax commented about the condition of land to the north in the Town of Union and its potential negative aspect at the entrance to the City.

Mr. FitzGerald moved to recommend the annexation. Mr. Pearson seconded and the motion carried. Mr. Duax voted no.

4. FINAL CONDO PLAT (P-3-09) “ Colonial Estates Condominiums

Steen Developers, Inc., has submitted the final condo plat for Colonial Estates Condominium located on the east side of Black Avenue, south of Tweed Drive. The plat allows the development of two 6-plexes and a 4-plex. The street name will be Black Court and will be a private drive until the south half of the street is dedicated to the City.

Mr. FitzGerald moved to recommend approval of the condo plat with the conditions listed in the staff report. Mr. Klinkhammer seconded and the motion carried.

5. COMPREHENSIVE PLAN “ County Justice Center

Mr. Tufte presented a proposed amendment to the Comprehensive Plan which adds Objective 8 “ County Justice Center to Chapter 9 “ Community Facilities. The objective as directed by City Council will provide guidance for consideration of future rezoning for this

facility. There are also six policies under this objective relating to compatibility, location of support services, impacts and consistency with other goals.

The location of the facility will be within or adjacent to commercial areas. Industrial areas are not included within the draft.

Maureen Slauson, 322 W. Grand Avenue, urged the inclusion of industrial areas within the possible sites.

Mr. Larson stated that he likes the policies without industrial areas included and moved to recommend this draft be presented for public hearing. Mr. FitzGerald seconded the motion. A motion to amend the policies to include industrial areas was made by Mr. Hibbard and seconded by Mr. Seymour. The Commission then proceeded to lengthily debate on this motion. The motion to amend failed with commissioners Klinkhammer, Larson, Pearson, Duax, and FitzGerald voting no. The final motion to proceed to public hearing as presented passed with commissioners Hibbard and Kayser voting no.

6. REZONINGS “ Wisconsin and Putnam Streets

Mr. Tufte reported that he has contacted the property owners at this intersection, which includes a tavern and a hotel, about the desire by the Plan Commission to initiate a rezoning of their properties from I-1 Light Industrial for the hotel and C-3 Community Commercial for the tavern to Central Business District (CBD). Both buildings are at zero foot setbacks which makes the structures nonconforming. The proposed zoning allows structures and zero setback. A tavern is a conditional use within a Central Business District. The tavern rezoning also includes their adjacent parking lots. It was the consensus of the commission to proceed with the public hearings on the rezoning.

7. MINUTES

The minutes of the meeting of September 14, 2009, were approved.

Joseph Seymour
Secretary